

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45491 of 2019

Arising Out of PS. Case No.-848 Year-2018 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SANJEET TIWARI (M), aged about 45 years, Son of Prabhunath Tiwari,
Resident of Village - Repura, P.S.- Maker, District- Saran at present resident
of Rinku Kr Singh Mohll- Alkapuri, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr.Gajendra Kumar Singh, Advocate.
For the State	:	Mr.Anuj Kumar Shrivastava, A.P.P.
For the Informant	:	M/S. Anish Kumar, Mritunjay Kumar and Rajnish Kumar, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner was earlier granted provisional bail
till further order on 23.07.2019 in a case for the offence
registered under Sections 193, 420, 467, 468, 471 and 120(B) of
the IPC.

The prosecution story, in brief, is that the accused had
taken an amount of Rs. 10,00,000/- for purchasing of a land but
the accused did not handed over the land nor returned the
amount back to the informant and for a criminal and a civil
cases instituted and Money Suit so instituted pending in the
court of Sub Judge-VIII, Muzaffarpur and the accused appeared



and filed their written statement and also produced fraudulent *Panchnama* and letter of receiving on which the informant or his father did not make their signature thereon it. It is further alleged that when the witnesses named in *Panchnama* consulted they denied to have their signature upon the *Panchnama* and the accused person in conspiracy to one another prepared collusive document with a view to cause illegal loss to the informant.

The matter was referred to the Patna High Court Mediation Centre. As per the report dated 13.11.2019 of the Mediator, mediation has failed.

It has been submitted by learned counsel for the petitioner that the petitioner was languishing in custody since 04.05.2019 and was granted provisional bail on 23.07.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per allegation, the petitioner was to execute a sale deed in pursuance to the money which was received by him. The matter relates to civil dispute. Though the petitioner, in the Court, has offered to learned counsel for the informant to make payment of Rs. 4,50,000/- (Rupees Four Lacs Fifty Thousand) only but the same is not accepted by the learned



counsel for the informant.

On behalf of the State and informant, it is submitted
that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, the
provisional bail granted to the petitioner vide order dated
23.07.2019, is hereby confirmed.

(Sudhir Singh, J)

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